

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA,

-against-

NG LAP SENG,

USDC SDNY
DOCUMENT
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S5 15 Cr. 706 (VSB)

ORDER

VERNON S. BRODERICK, United States District Judge:

On July 10, 2018, I held a telephone conference regarding several issues related to Defendant's surrender. During the conference, I made certain oral rulings regarding the production of Defendant's medical records to the Government. I also entered a written order on the docket that required Defendant to produce to the Government "[a]ny and all medical records and correspondence concerning the defendant in the possession of NYU Langone Medical Center or its affiliates." (Doc. 821.) The records required to be produced included correspondence with Defendant or individuals acting on his behalf, statements of the Defendant, test results, and any notes or other reports associated with and/or included in Defendant's medical file. (*Id.*)

After several previous extensions of his surrender date, on July 12, 2018, Defendant requested another extension of his surrender date from July 13, 2018 at 12:00 p.m. to July 17, 2018 at 12:00 p.m., pending a hearing and my consideration of a future motion by Defendant for a further extension. (Doc. 829.) I held another telephone conference to discuss this request with the parties on July 12. During the conference, I granted Defendant's request for an extension of his surrender date to July 17, 2018. I also granted Defendant's request to hold a hearing on July

16 to hear testimony in support of Defendant's request to further extend his surrender date. In addition, I gave the parties several instructions with regard to documents that should be produced to the Government. Accordingly, it is hereby:

ORDERED that Defendant shall surrender to his designated facility on July 17, 2018 at 12:00 p.m.

IT IS FURTHER ORDERED that the parties shall appear for a hearing regarding any further extension to Defendant's surrender date on July 16, 2018 between 8:30-10:00 a.m. and

3:30-5:00 p.m. Defendant shall produce a medical expert to testify about the details of his medical condition that require/support his request to extend his surrender date. Defendant shall also produce a representative of Pinnacle, Defendant's private healthcare consultant, to testify and/or answer any questions related to documents in its possession and as needed.

IT IS FURTHER ORDERED that, on or before July 13, 2018 at 5:00 p.m., Defendant shall produce to the Government any and all medical records, including notes, communications, test results, logs, and reports, generated by, sent to, or received by Defendant's treating physicians with respect to Defendant between July 11, 2018 and July 13, 2018, and any records generated thereafter until Defendant ultimately surrenders to his designated facility.

IT IS FURTHER ORDERED that, on or before July 13, 2018 at 5:00 p.m., Pinnacle, shall produce simultaneously to the Defendant and the Government any and all documents, communications, notes, logs, and reports generated by, sent to, or received by Pinnacle with respect to Defendant since Pinnacle was retained by Defendant. This includes correspondence concerning Defendant that Pinnacle may have had with Defendant, his physicians, his counsel, his family members, his agents, or anyone else acting on Defendant's behalf.

IT IS FURTHER ORDERED that, on or before July 13, 2018 at 5:00 p.m., Defendant


shall produce any and all medical records, including notes, communications, test results, logs, and reports, generated by, sent to, or received by Dr. Stephen Pan, Defendant's attending cardiologist physician, with respect to Defendant since the date Dr. Pan initially began providing services to Defendant.

IT IS FURTHER ORDERED that, on or before July 13, 2018 at 5:00 p.m., pursuant to Federal Rule of Criminal Procedure 26.2, both parties shall produce to each other any statement, including notes of statements, that is in their possession of any witness they intend to call at the July 16, 2018 hearing that relates to the subject matter of the witness's testimony.

IT IS FURTHER ORDERED that any obligation to produce documents as required by this Order shall be continuing through and until the date Defendant ultimately surrenders.

SO ORDERED.

Dated: July 12, 2018
New York, New York


Vernon S. Broderick
United States District Judge